

OPINION 752

BORIOMYIA BANKS, 1904 (INSECTA, NEUROPTERA): ADDED TO THE OFFICIAL LIST OF GENERIC NAMES

RULING.—(1) The application for the suppression under the plenary powers of *Boriomyia* Banks, 1904, is hereby refused.

(2) The generic name *Boriomyia* Banks, 1904 (gender : feminine), type-species, by designation by Killington, 1937, *Hemerobius fidelis* Banks, 1897, is hereby placed on the Official List of Generic Names in Zoology with the Name Number 1692.

(3) The specific name *fidelis* Banks, 1897, as published in the binomen *Hemerobius fidelis* (type-species of *Boriomyia* Banks, 1904) is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2102.

HISTORY OF THE CASE (Z.N.(S.) 1531)

The present case was submitted to the office of the Commission in April 1962 by Mr. D. E. Kimmins. Mr. Kimmins's application was sent to the printer on 21 May 1962 and was published on 12 July 1963 in *Bull. zool. Nomencl.* **20** : 305–306. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184). The proposals were supported by Dr. Bo Tjeder (*Bull. zool. Nomencl.* **21** : 331–333), Dr. Willy Eglin (*Bull. zool. Nomencl.* **21** : 194), Dr. Herbert Holzel and Prof. Phillip A. Adams. Objections by Prof. F. M. Carpenter and Dr. Ellis G. MacLeod were published in *Bull. zool. Nomencl.* **21** : 91 and 193 respectively.

DECISION OF THE COMMISSION

On 26 March 1965 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (65)12 either for or against the proposals set out in *Bull. zool. Nomencl.* **20** : 306. That Voting Paper also carried the following note: "If a majority of Commissioners vote against the use of the plenary powers in the present case, then *Boriomyia* Banks, 1904, and *Boriomyia fidelis* Banks, 1897, will be placed on the Official Lists." At the close of the prescribed voting period on 26 June 1965 the state of the voting was as follows:

Affirmative votes—ten (10), received in the following order: Vokes, Obruchev, Boschma, Jaczewski, Brinck, Riley, Tortonese, Uchida, Bonnet, Stoll.

Negative votes—fourteen (14): China, Holthuis, Alvarado, Mayr, Simpson, Lemche, do Amaral, Sabrosky, Evans, Forest, Binder, Mertens, Kraus, Ride.

Voting Papers not returned—one (1): Hubbs.

Commissioners Miller and Munroe returned late negative votes. The following comments were made by Commissioners in returning their votes:

Prof. Ernst Mayr (26.iv.65): "The name *Kimminsia* rather than *Boriomyia* 1905 is used in the majority of the important publications between 1937 and 1962.

Under these circumstances a use of the plenary powers for the suppression of *Kimminsia* (by selection of a new type for *Boriomyia*) seems not justified. ”

Mr. C. W. Sabrosky (24.v.65): “ Cases where names have appeared in lists or short papers in advance of their appearance in a comprehensive revision or monograph are all too frequent, and often unfortunate. But Dr. Carpenter’s comments show that Banks himself accepted the objective reality of priority in publication, and I believe that the Commission should also do so. Obviously the specialists are not united in objecting to strict application of the pertinent rules. ”

Dr. J. Forest (11.vi.65): “ Les arguments exposés par F. M. Carpenter et par E. G. MacLeod contre l’usage des pleins pouvoirs dans le présent cas sont tout à fait convaincants. La validation de *Boriomyia* Banks, 1904, conformément aux règles, paraît être la procédure la plus favorable à la stabilité de la Nomenclature. ”

ORIGINAL REFERENCES

The following are the original references for names placed on the Official Lists by the Ruling given in the present Opinion:

Boriomyia Banks, 1904, *Proc. ent. Soc. Washington* 6 : 209

fidelis, *Hemerobius*, Banks, 1897, *Trans. Amer. ent. Soc.* 24 : 27

The following is the original reference for the designation of a type-species for the genus concerned in the present Ruling:

For *Boriomyia* Banks, 1904 : Killington, 1937, *Mon. Brit. Neur.* 2 : 253 (Ray Soc., London)

CERTIFICATE

We certify that the votes cast on Voting Paper (65)12 were cast as set out above, that the proposal contained in that Voting Paper as the original proposal for the use of the plenary powers has not been adopted, and that the decision so taken, being the decision of the International Commission is truly recorded in the present Opinion No. 752.

G. OWEN EVANS
Secretary

W. E. CHINA
Assistant Secretary
International Commission on Zoological Nomenclature
London 9 August 1965